

# EXHIBIT C

**COURT OF COMMON PLEAS  
OF BUCKS COUNTY  
- OFFICE  
OF  
COURT ADMINISTRATOR  
DOYLESTOWN, PA 18901**

**CIVIL COVER SHEET**

The information provided herein is for case flow and calendar management purposes only. It does not replace or supplement the filing and service of pleadings or other papers as required by law or rules of court. This sheet will not be used as a source for making docket entries except to note the type of action commenced. This is not a substitute from documents for commencement of actions

Case No. 2008-11271-31-2

**PLAINTIFFS**

vs.

**DEFENDANTS**

Jamie Medford Frei

William C. Roeger, Jr., Esquire

Bar ID # 18435

William G. Roark, Esquire

Bar ID # 203699

D&M Real Estate, LLC, t/a The Horse Tavern  
& Grill and The Horse, Inc., t/a The Horse  
Tavern & Grill

William Dirk Pastorick, Esquire

Bar ID # 77070

Brian M. Andris, Esquire

Bar ID # 93544

**NATURE OF SUIT**

(Check one classification only)

**ASSUMPSIT (Contracts)**

- ☐ Mechanics Lien 057
- ☐ Employment 525
- ☐ Insurance 526
- ☐ No-Fault Insurance 527
- ☐ Negotiable Instrument 527
- ☐ Product Liability 529
- ☐ Warranty 530
- ☐ Mortgage Foreclosure 060
- ☐ Replevin (With Order) 054
- ☐ Assumpsit 046
- ☐ Other 531
- ☐ Writ of Summons 112

**TRESPASS**

- ☐ Motor Vehicle 047
- ☐ Non-Motor Vehicle 048
- ☐ Other Personal Injury 049
- ☐ Assault 532
- ☐ Libel/Slander 533
- ☐ Medical Malpractice 534
- ☐ Medical Malpractice Writ 819
- ☐ Medical Malpractice Transfer 821
- ☐ Legal Malpractice 535
- ☐ Professional Malpractice 816
- ☐ Product Warranty Liability 536
- ☒ Other 537 (Joinder Complaint)
- ☐ Writ of Summons 110

**EQUITY**

- ☐ Ejectment 053
- ☐ Partition 309
- ☐ Quiet Title 062
- ☐ Labor Dispute 540
- ☐ Mandamus 055
- ☐ Declaratory Judgment 061
- ☐ Equity 051
- ☐ Quo/Warrants 056
- ☐ Other 539
- ☐ Writ of Summons

**APPEALS**

- ☐ DJ Appeal - Assumpsit 025
- ☐ DJ Appeal - Trespass 337
- ☐ Award of Viewers 501
- ☐ Board of Assessment 301
- ☐ Pa. Labor Relations Board 369
- ☐ Board of Elections 319
- ☐ Local Agency 262
- ☐ Zoning Hearing Board or Land Use 030
- ☐ Suspension of Operator's License 134
- ☐ Suspension of Registration 694
- ☐ Other 538

**OTHER**

- ☐ Petition

**RECEIVED**  
**2009 JAN 14 P 3:51**  
**PROTHONOTARY**  
**OF BUCKS COUNTY**

**DEMAND**

- ☐ over \$50,000
- ☐ under \$50,000
- ☐ Not Applicable

**JURY DEMAND**

(Check only if demanded in Complaint.)

- ☐ Yes
- ☐ No

**THIS FORM SHOULD BE RETURNED TO THE PROTHONOTARY'S OFFICE**

**NELSON LEVINE de LUCA & HORST, LLC**  
**WILLIAM DIRK PASTORICK (PA77070)**  
**BRIAN M. ANDRIS (PA93544)**  
**457 HADDONFIELD ROAD**  
**SUITE 710**  
**CHERRY HILL, NJ 08002**  
**856.665.8500**  
**856-665-8501 (fax)**

**ATTORNEYS FOR DEFENDANTS**  
**D&M REAL ESTATE, LLC, T/A THE**  
**HORSE TAVERN & GRILL AND THE**  
**HORSE, INC., T/A THE HORSE**  
**TAVERN & GRILL**

**JAMIE MEDFORD FREI**  
**Plaintiff**

**v.**

**D&M REAL ESTATE, LLC, T/A THE**  
**HORSE TAVERN & GRILL AND THE**  
**HORSE, INC., T/A THE HORSE TAVERN &**  
**GRILL**

**Defendant**

**v.**

**GENERAL MOTORS CORPORATION**  
**1515 Market Street**  
**Suite 1210**  
**Philadelphia, PA 19102**

**COURT OF COMMON PLEAS**  
**BUCKS COUNTY**

**CIVIL ACTION - LAW**

**CIVIL ACTION NO: 2008-11271-31-2**

**JURY TRIAL DEMANDED**

**COMPLAINT NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages you must take action within twenty (20) days after this complaint and notice are served by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE GO TO OR TELEPHONE THE OFFICES SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.**

Bucks County Bar Association  
135 East State Street  
Doylestown, PA 18901  
Phone (215) 348-9413, 1-800-479-8585  
[www.bucksbar.org](http://www.bucksbar.org)

PA Bar Association: [www.pabar.org](http://www.pabar.org)

Dated: January, 2009

**NELSON LEVINE de LUCA & HORST, LLC**  
**WILLIAM DIRK PASTORICK (PA77070)**  
**BRIAN M. ANDRIS (PA93544)**  
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**JOINDER COMPLAINT PURSUANT TO Pa. R.C.P. 2252 OF DEFENDANTS,**  
**D&M REAL ESTATE, LLC, T/A THE HORSE TAVERN & GRILL**  
**AND THE HORSE, INC., T/A THE HORSE TAVERN & GRILL AGAINST**  
**ADDITIONAL DEFENDANT GENERAL MOTORS CORPORATION**

The Defendants, D&M Real Estate, LLC, t/a The Horse Tavern & Grill and The Horse, Inc., t/a The Horse Tavern & Grill (hereinafter "The Horse Tavern"), hereby file a Joinder Complaint pursuant to Pa. R.C.P. 2252 against the Additional Defendant, General Motors Corporation and in support thereof avers as follows:

1. On or about October 31, 2008, Plaintiff, Jamie Frei, filed the above-captioned Civil Action Complaint against The Horse Tavern.
2. In the Complaint, Plaintiff claims to have been injured on December 29, 2006.

3. Specifically, Plaintiff has made a claim under Pennsylvania's Dram Shop Act, alleging that he was served alcohol by The Horse Tavern while he was underage and visibly intoxicated and that he was injured as a result.

4. Without admitting any of the factual allegations contained therein, The Horse Tavern incorporates by reference the factual averments of Plaintiff's Complaint.

5. General Motors Corporation is a Pennsylvania corporation with a registered place of business located at 1515 Market Street, Suite 1210, Philadelphia, Pennsylvania, 19102.

6. Plaintiff's injuries were the result of a motor vehicle accident that occurred on December 29, 2006.

7. At the time of the accident, Plaintiff was operating a 2005 Chevrolet Cobalt having a Vehicle Identification Number 1G1AL12F657609040.

8. The 2005 Chevrolet Cobalt was designed, manufactured, sold, and/or distributed by General Motors Corporation.

9. General Motors Corporation had a duty to design and manufacture the 2005 Chevrolet Cobalt in a condition reasonably safe for the user and/or consumer.

10. General Motors Corporation breached its duty by negligently designing and/or manufacturing the 2005 Chevrolet Cobalt so that the airbag failed to deploy during the accident that allegedly caused Plaintiff's injuries.

11. In the event that Plaintiff's allegations that he sustained damages as a result of this incident prove to be true, such allegations being specifically denied by The Horse Tavern, then Additional Defendant, General Motors Corporation is solely liable for those damages as a result of its negligence.

12. In the event that Plaintiff's allegations that he sustained damages as a result of this incident prove to be true, such allegations being specifically denied by The Horse Tavern, then Additional Defendant, General Motors Corporation is solely and/or strictly liable for placing into the stream of commerce an unreasonably dangerous and defective product.

13. Alternatively, if the allegations in Plaintiff's Complaint are true, such allegations being specifically denied, then Additional Defendant General Motors Corporation is liable to Defendant for contribution, or jointly and severally liable, for any amount which may be adjudged against The Horse Tavern, on Plaintiff's cause of action.

NELSON LEVINE de LUCA & HORST, LLC

BY: 

WILLIAM DIRK PASTORICK (PA77070)  
BRIAN M. ANDRIS (PA93544)  
ATTORNEYS FOR DEFENDANTS D&M  
REAL ESTATE, LLC, T/A THE HORSE  
TAVERN & GRILL AND THE HORSE,  
INC., T/A THE HORSE TAVERN & GRILL

Dated: January 14, 2009

**VERIFICATION**

I, WILLIAM DIRK PASTORICK/BRIAN M. ANDRIS, do hereby state that I am counsel for D&M Real Estate, LLC, t/a The Horse Tavern & Grill and The Horse Tavern, Inc., t/a The Horse Tavern & Grill in the within action, and as such do hereby verify that the statements made in the foregoing Joinder Complaint are true and correct to the best of my knowledge, information and belief. The undersigned understands that the statements therein are made subject to penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.



---

**WILLIAM DIRK PASTORICK  
BRIAN M. ANDRIS**

Dated: 1/14/09

**NELSON LEVINE de LUCA & HORST, LLC**  
**WILLIAM DIRK PASTORICK (PA77070)**  
**BRIAN M. ANDRIS (PA93544)**  
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**JAMIE MEDFORD FREI**  
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**CIVIL ACTION - LAW**

**CIVIL ACTION NO: 2008-11271-31-2**

**JURY TRIAL DEMANDED**

**CERTIFICATE OF SERVICE**

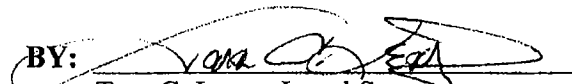
I, Tara C. Leary, Secretary to Brian M. Andris, Esquire, hereby certify that a true and correct copy of the JOINDER COMPLAINT PURSUANT TO Pa. R.C.P. 2252 OF DEFENDANTS, D&M REAL ESTATE, LLC, T/A THE HORSE TAVERN & GRILL AND THE HORSE, INC., T/A THE HORSE TAVERN & GRILL AGAINST ADDITIONAL DEFENDANT GENERAL MOTORS CORPORATION was served on January /4, 2009, upon counsel listed below by United States Mail, postage prepaid:

William C. Roeger, Jr., Esquire  
William G. Roark, Esquire  
Hamburg, Rubin, Mullin, Maxwell & Lupin  
210 W. Walnut Street  
P.O. Box 259  
Perkasie, PA 18944



**NELSON LEVINE de LUCA & HORST, LLC**

**BY:**

  
Tara C. Leary, Legal Secretary

Date: January 14, 2009